

In the claims:

Please cancel claim 13.

Please amend claims 1 and 10 as follows.

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1. (Amended) A non-volatile semiconductor memory device comprising:
- a substrate;
 - a charge storage region on the substrate;
 - a control gate on the charge storage region; and
 - ✓ a gate mask on the control gate, wherein the gate mask is in the shape of a spacer, ||
the gate mask operating as an etch mask during fabrication of the semiconductor memory device to define the underlying charge storage region and the control gate.
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10. (Amended) A non-volatile semiconductor memory device comprising:
- a substrate having a source and a drain;
 - a channel between the source and the drain;
 - a charge storage region over the channel;
 - a control gate over the charge storage region;
 - ✓ a gate mask being formed on an entire top surface of the control gate and being in ||
the shape of a spacer; and
 - ✓ a select gate on the channel and between the charge storage region and the drain;
the charge storage region, the channel, the drain, the control gate and the select gate forming a first unit cell.
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